

BILL NO. G-75-03- 06

GENERAL ORDINANCE NO. G- 05-75

AN ORDINANCE amending General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith"; and

WHEREAS, delay in the issuance of the bonds authorized by said ordinance has occurred; and

WHEREAS, the Council now finds that, due to the lapse of time since the adoption of said General Ordinance No. G-27-74, the same must be amended in order to market advantageously said bonds;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 2 of General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 2. For the purpose of providing funds with which to pay the cost of said projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Municipal Bonds of 1975" in the aggregate principal amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), shall be numbered consecutively from 1 to 750 inclusive, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate, or rates, not exceeding seven per cent (7%) per annum (the exact rates to be determined by the bidding), which interest shall be payable on the first day of January, 1976 and semi-annually thereafter on the first days of January and July in each year and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at such bank or banks as shall be designated by the successful bidder and approved by the City Controller

APPROVED AS TO FORM
AND LEGALITY.


CITY ATTORNEY

and at least one of which banks shall be in the City of Fort Wayne, Indiana. The bonds shall mature serially in the amounts and on the dates as follows:

\$100,000 on January 1, 1976
100,000 on July 1, 1976
100,000 on January 1, 1977
100,000 on July 1, 1977
100,000 on January 1, 1978
100,000 on July 1, 1978
100,000 on January 1, 1979
105,000 on July 1, 1979
105,000 on January 1, 1980
105,000 on July 1, 1980
110,000 on January 1, 1981
110,000 on July 1, 1981
115,000 on January 1, 1982
120,000 on July 1, 1982
125,000 on January 1, 1983
125,000 on July 1, 1983
130,000 on January 1, 1984
135,000 on July 1, 1984
140,000 on January 1, 1985
140,000 on July 1, 1985
145,000 on January 1, 1986
150,000 on July 1, 1986
155,000 on January 1, 1987
160,000 on July 1, 1987
165,000 on January 1, 1988
170,000 on July 1, 1988
175,000 on January 1, 1989
180,000 on July 1, 1989
185,000 on January 1, 1990

Said bonds shall be signed in the name of the City of Fort Wayne with the facsimile signature of the Mayor, countersigned with the facsimile signature of the City Controller, and attested by the City Clerk who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the Uniform Commercial Code.

SECTION 2. That Section 3 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA
STATE OF INDIANA COUNTY OF ALLEN

No. \$5,000

CITY OF FORT WAYNE
MUNICIPAL BOND OF 1975

The City of Fort Wayne, in Allen County, Indiana, for value received,

here acknowledges itself indebted and promises to pay to the bearer hereof until the principal is paid, at the rate of _____ per cent (____%) per annum, payable on the first day of January, 1976, and semi-annually thereafter on the first days of January and July in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the _____, in the City of Fort Wayne, Indiana, or at the option of the holder at the _____.

This bond is one of an authorized issue of Seven Hundred Fifty (750) bonds of the City of Fort Wayne, Indiana, of like date, denomination, tenor and effect, except as to dates of maturity, aggregating Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), numbered consecutively from 1 to 750 inclusive, issued pursuant to an ordinance adopted by the Common Council of the City on the _____ day of _____, 1975, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," as amended by General Ordinance No. _____, and an act of the General Assembly of the State of Indiana entitled "An Act concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, Indiana, by ordinance of its Common Council, has caused this bond to be signed in its corporate name by placing thereof the facsimile signature of its Mayor, countersigned by placing thereon the facsimile signature of its City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 19____.

CITY OF FORT WAYNE

By _____
Mayor

Countersigned:

City Controller

Attest:

City Clerk

(Interest Coupon)

Coupon No. _____

\$ _____

On _____, 19____,
the City of Fort Wayne, Indiana, will pay to bearer at the _____
_____, in the City of Fort Wayne, Indiana, or at the option of the
holder at the _____ Dollars in
lawful money of the United States of America, being the interest then due on
its Municipal Bond of _____, dated _____,
No. _____.

CITY OF FORT WAYNE

By _____ (facsimile)
City Controller

SECTION 3. That Section 5 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 5. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of such sale once each week for two weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal Gazette, and one time in The Indianapolis Commercial. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the rate or rates, of interest which the bonds are to bear, not exceeding seven per cent (7%) per annum, and such interest rates shall be in multiples of 1/10 or 1/8 of one per cent (1%) and not more than four interest rates shall be named by each bidder. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rates named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without re-advertising, but during such continuation no bids shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said projects, and shall be paid out of the proceeds of said bonds.

SECTION 4. That said General Ordinance No. G-27-74, except as hereinabove amended, stand as asopted on October 22, 1974.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 3-11-75

Charles W. Wintersman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (AUST) by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT <u>1</u>	to-wit:
BURNS	<u>✓</u>	_____	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____	_____
MOSES	_____	_____	_____	_____	<u>A</u>
NUCKOLS	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 3-11-75

Charles W. Wintersman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning-Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. B-05-75 on the 11th day of March, 1975.

Charles W. Wintersman
CITY CLERK

ATTEST: (SEAL)

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Wintersman
CITY CLERK

Approved and signed by me this 12th day of March, 1975, at the hour of 4:30 o'clock P. M., E.S.T.

[Signature]
MAYOR

SUSPENSION OF RULES

BILL NO. B-75-03-06

Councilman V. Schmidt, moved to suspend the rules on passage of BILL NO. B-75-03-06, at this meeting of March 11, 1975, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and B-05-75 General ORDINANCE was accordingly placed on its passage.

DATE: 3-11-75

Charles H. Hesterman
CITY CLERK

James L. Hesterman
PRESIDING OFFICER

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
	<input checked="" type="checkbox"/> 8	<input type="checkbox"/> 0	<input type="checkbox"/>	<input type="checkbox"/> 1	<input type="checkbox"/>
<u>BURNS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>HINGA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>KRAUS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MOSES</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>NUCKOLS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>D. SCHMIDT</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>V. SCHMIDT</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>STIER</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>TALARICO</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. B-05-75

ATTEST:

(SEAL)

DATE: 3/11/75

Charles H. Hesterman
CITY CLERK

Ord No 9-2-74-18
GENERAL ORDINANCE NO. _____

An Ordinance to amend General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith."

WHEREAS, the Common Council of the City of Fort Wayne has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith "; and

WHEREAS, delay in the issuance of the bonds authorized by said ordinance has occurred; and

WHEREAS, the Council now finds that, due to the lapse of time since the adoption of said General Ordinance No. G-27-74, the same must be amended in order to market advantageously said bonds; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Section 2 of General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 2. For the purpose of providing funds with which to pay the cost of said projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Municipal Bonds of 1975" in the aggregate principal amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), shall be numbered consecutively from 1 to 750 inclusive, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate, or rates, not exceeding seven per cent (7%) per annum (the exact rates to be determined by the bidding), which interest shall be payable on the first day of January, 1976 and semi-annually thereafter on the first days of January and July in each year and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at such bank or banks as shall be designated by the successful bidder and approved by the City Controller and at least one of which banks shall be in the City of Fort Wayne, Indiana. The bonds shall mature serially in the amounts and on the dates as follows:

\$100,000	on January 1, 1976
100,000	on July 1, 1976
100,000	on January 1, 1977
100,000	on July 1, 1977
100,000	on January 1, 1978
100,000	on July 1, 1978
100,000	on January 1, 1979
105,000	on July 1, 1979
105,000	on January 1, 1980
105,000	on July 1, 1980
110,000	on January 1, 1981
110,000	on July 1, 1981

\$115,000 on January 1, 1982
 120,000 on July 1, 1982
 125,000 on January 1, 1983
 125,000 on July 1, 1983
 130,000 on January 1, 1984
 135,000 on July 1, 1984
 140,000 on January 1, 1985
 140,000 on July 1, 1985
 145,000 on January 1, 1986
 150,000 on July 1, 1986
 155,000 on January 1, 1987
 160,000 on July 1, 1987
 165,000 on January 1, 1988
 170,000 on July 1, 1988
 175,000 on January 1, 1989
 180,000 on July 1, 1989
 185,000 on January 1, 1990

Said bonds shall be signed in the name of the City of Fort Wayne with the facsimile signature of the Mayor, countersigned with the facsimile signature of the City Controller, and attested by the City Clerk who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the Uniform Commercial Code.

Section 2. That Section 3 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA
 STATE OF INDIANA COUNTY OF ALLEN

No. _____

\$5,000

CITY OF FORT WAYNE
 MUNICIPAL BOND OF 1975

The City of Fort Wayne, in Allen County, Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal sum of

FIVE THOUSAND DOLLARS

on the first day of _____, 19__, and to pay interest thereon from the date hereof until the principal is paid, at

the rate of _____ per cent (_____ %) per annum, payable on the first day of January, 1976, and semi-annually thereafter on the first days of January and July in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the _____, in the City of Fort Wayne, Indiana, or at the option of the holder at the _____.

This bond is one of an authorized issue of Seven Hundred Fifty (750) bonds of the City of Fort Wayne, Indiana, of like date, denomination, tenor and effect, except as to dates of maturity, aggregating Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), numbered consecutively from 1 to 750 inclusive, issued pursuant to an ordinance adopted by the Common Council of the City on the _____ day of _____, 1975, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," as amended by General Ordinance No. _____, and an act of the General Assembly of the State of Indiana entitled "An Act concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, Indiana, by ordinance of its Common Council, has caused this bond to be signed in its corporate name by placing thereon the facsimile signature of its Mayor, countersigned by placing thereon the facsimile signature of its City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 19__.

CITY OF FORT WAYNE

By _____
Mayor

Countersigned:

City Controller

Attest:

City Clerk

(Interest Coupon)

Coupon No. _____

\$ _____

On _____, 19____,
the City of Fort Wayne, Indiana, will pay to bearer at the
_____ in the City of Fort Wayne, Indiana, or at
the option of the holder at the _____,
_____ Dollars in lawful money of the United States of
America, being the interest then due on its Municipal Bond of
_____, dated _____, No. _____.

CITY OF FORT WAYNE

By _____ (facsimile)
City Controller

Section 3. That Section 5 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:
Section 5. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of such sale once each week for two weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal Gazette, and one time in The Indianapolis Commercial. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the rate, or rates, of interest which the bonds are to bear, not exceeding seven per cent (7%) per annum, and such interest rates shall be in multiples of 1/10

or 1/8 of one per cent (1%) and not more than four interest rates shall be named by each bidder. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rates named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without readvertising, but during such continuation no bids shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said projects, and shall be paid out of the proceeds of said bonds.

Section 4. That said General Ordinance No. G-27-74, except as hereinabove amended, stand as adopted on October 22, 1974.

Section 5. This ordinance shall be in full force and effect immediately upon its passage by the Common Council and its signing by the Mayor.

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, on the ____ day of _____, 1975.

Presiding Officer

Attest:

City Clerk

Presented by me to the Mayor for his approval and signature, this ____ day of _____, 1975.

City Clerk

Approved and signed by me this ____ day of _____,
1975.

Mayor, City of Fort Wayne, Indiana

BERNARD T. PERRY
1214 WEST AMELIA STREET
ORLANDO, FLORIDA 32805
(305) 425-9051



February 22, 1975

Members of the Common Council
City of Fort Wayne
Fort Wayne, Indiana

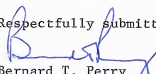
At your regularly scheduled meeting to be held on February 25, 1975 there will be presented for your consideration two amendatory ordinances.

The first request for action on your part is in respect of the proposed \$3,750,000 general obligation bond issue previously approved by the Council and various state and local tax authorities. The amendment requested is required to restate the bond issue as a 1975 issue instead of as a 1974 issue as originally adopted. Further, we have deferred all 1975 principal and interest payments to 1976 and later years. This latter amendment will serve to better balance the City's cash flow in 1975 and will not, in our opinion, affect the ultimate interest cost of the bond issue which we propose to market in early April 1975. Fortunately this delay has benefited the City because of the recent downward trend of interest rates in the United States.

The second amendatory ordinance is required because the writer, your financial advisor, erred by failing to include in the original ordinance proposed rates for fire protection service from four inch and larger lines and minimum monthly charges for eight inch and ten inch meters. We regret the inconvenience caused in this matter by our original oversight.

In the event the Council has any questions concerning these matters, the writer will be available at any time before ultimate passage of these ordinances to offer any explanations requested.

Respectfully submitted,


Bernard T. Perry
Certified Public Accountant

BTP:jk

DIGEST SHEET

TITLE OF ORDINANCE GENERAL

Y *Y-75-03-06*

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Amending General Ordinance No. G-27-74, entitled "An

Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and

sale of bonds of said City for the purpose of providing funds to be applied on

the cost of construction and reconstruction of, and other improvements to, streets,

highways and thoroughfares in said City, the acquisition of ~~fix~~ rights-of-way

necessary or incidental thereto, and the cost of acquiring and constructing new

facilities for the street department, together with all incidental expenses necessarily

incurred in connection therewith.

EFFECT OF PASSAGE Bonds will be issued for purpose above described

EFFECT OF NON-PASSAGE No bonds will be issued

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) *Finance JH*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

March 14, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of March ¹⁷~~24~~ and March ²⁴~~21~~, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-75-03-06
General Ordinance No. G-05-75

Bill No. G-75-02-16
General Ordinance No. G-04-75

Bill No. Z-75-03-06
Zoning Ordinance No. Z-04-75

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 3

LEGAL NOTICE

Notice is hereby given that on the 11th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-03-06, G-75 General Ordinance, to wit:

Bill No. G-75-03-06

General Ordinance No. G-75-75 AN ORDINANCE amending General Ordinance No. G-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the necessary or incidental constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith."

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," and

WHEREAS, delay in the issuance of the bonds authorized by said ordinance has occurred; and

WHEREAS, the Council now finds that, due to the lapse of time since the adoption of said General Ordinance No. G-74, the same must be amended in order to market advantageously said bonds.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 2 of General Ordinance No. G-74 be and the same is hereby amended to read as follows:

Section 2. For the purpose of providing funds with which to pay the cost of said projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Municipal Bonds of 1975" in the aggregate principal amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), shall be numbered consecutively from 1 to 750 inclusive, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate, or rates, not exceeding seven per cent (7%) per annum (the exact rates to be determined by the bidder), which interest shall be payable on the first day of January, 1976 and semi-annually thereafter on the first days of January and July in each year and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at such bank or banks as shall be designated by the successful bidder and approved by the City Controller and at least one of which banks shall be in the City of Fort Wayne, Indiana. The bonds shall mature serially in the amounts and on the dates as follows:

\$100,000 on January 1, 1976
100,000 on January 1, 1977
100,000 on July 1, 1977
100,000 on January 1, 1978
100,000 on July 1, 1978
100,000 on January 1, 1979
100,000 on July 1, 1979
105,000 on January 1, 1979
105,000 on January 1, 1980
105,000 on July 1, 1980
110,000 on January 1, 1981
110,000 on July 1, 1981
115,000 on January 1, 1982
120,000 on July 1, 1982
125,000 on January 1, 1983
125,000 on July 1, 1983
130,000 on January 1, 1984
135,000 on July 1, 1984
140,000 on January 1, 1985
140,000 on July 1, 1985
145,000 on January 1, 1986
150,000 on July 1, 1986
155,000 on January 1, 1987
160,000 on July 1, 1987
165,000 on January 1, 1988
170,000 on July 1, 1988
175,000 on January 1, 1989
180,000 on July 1, 1989
185,000 on January 1, 1990

Said bonds shall be signed in the name of the City of Fort Wayne with the facsimile signature of the Mayor, countersigned with the facsimile signature of the City Controller, and attested by the City Clerk who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the Uniform Commercial Code.

SECTION 2. That Section 3 of said General Ordinance No. G-74 be and the same is hereby amended to read as follows:

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to wit:

United States of America, State of Indiana, County of Allen
No. 35,000

CITY OF FORT WAYNE

MUNICIPAL BOND OF 1975

The City of Fort Wayne, in Allen County, Indiana, for value received, here acknowledges itself indebted and promises to pay to the bearer hereof until the principal is paid, at the rate of _____ per cent (____ per cent) per annum, payable on the first day of January, 1976, and semi-annually thereafter on the first days of January and July in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the _____ in the City of Fort Wayne, Indiana, on or at the option of the holder at the _____.

This bond is one of an authorized issue of Seven Hundred Fifty (750) bonds of the City of Fort Wayne, Indiana, of like date, denomination, tenor and face, except as to dates of maturity, aggregating Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), numbered consecutively from 1 to 750 inclusive, issued pursuant to an ordinance adopted by the Common Council of the City on the _____ day of _____, 1975, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," as amended by General Ordinance No. _____, and an act of the General Assembly of the State of Indiana, entitled "An Act concerning municipal bonds."

...ive, issued pursuant to an ordinance adopted by the Common Council of the City on the day of 1975, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights of way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," as amended by General Ordinance No. 6-27-74, and an act of the General Assembly of the State of Indiana entitled "An Act concerning municipal corporations," approved March 6, 1965, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law, that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, Indiana, by ordinance of its Common Council, has caused this bond to be signed in its corporate name by placing thereon the facsimile signature of its Mayor, countersigned by placing thereon the facsimile signature of its City Controller, its signature to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 1975.

CITY OF FORT WAYNE
By IVAN A. LEBAMOFF, Mayor

Countersigned: City Controller
Attest: CHARLES WESTERMAN, City Clerk
(Inherent Coupon)

Coupon No. _____ \$ _____
On _____, 1975, the City of Fort Wayne, Indiana, will pay to bearer at the _____, in the City of Fort Wayne, Indiana, or at the option of the holder at the _____, the sum of _____ Dollars in the money of the United States of America, being the interest then due on its Municipal Bond of _____ dated _____ No. _____

CITY OF FORT WAYNE

City Controller
SECTION 3. That Section 3 of said General Ordinance No. 6-27-74 be and the same is hereby amended to read as follows:

Section 3. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of such sale once each week for two weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal-Gazette, and one time in The Indianapolis Commercial. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the bids or rates of interest which the bonds are to bear, not exceeding seven per cent (7%) but not in excess of the rate named in the bond sale notice, and such interest rates shall be in multiples of one-fourth of one per cent (1/4%) and not more than four interest rates shall be named by each bidder. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rates named in the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period or not to exceed thirty (30) days, without re-advertising, but during such continuation no bids shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds, the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said bonds, and shall be paid out of the proceeds of said bonds.

SECTION 4. That said General Ordinance No. 6-27-74, except as hereinabove amended, stand as adopted on October 20, 1974.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT, Councilman
Read the third time in full and on motion by V. Schmidt, seconded by King, and duly adopted, placed on its passage.

PASSED by the following vote:
Ayes: Eight, Burns, Hinge, Kraus, Ninkals, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: One, Moses
Date: 3-11-75

CHARLES W. WESTERMAN, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. 6-27-75, on the 11th day of March, 1975.

Attest: CHARLES W. WESTERMAN, City Clerk
JAMES S. STIER, Prefiling Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 1975, at the hour of 10:10 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 12th day of March, 1975, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. 6-27-75 passed by the Common Council on the 11th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of March, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of March, 1975.

CHARLES W. WESTERMAN, City Clerk

Seal
3-17-74

State Board of Accounts

General Form No. 99 P (Rev. 1967)

of Fort Wayne
(Municipal Unit)

To JOURNAL-GAZETTE Dr.

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

after (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

number of lines 1
number of lines 378
number of lines 3
total number of lines in notice 382

ARGES
lines, _____ columns wide equals _____ equivalent lines at _____ \$
is per line \$ 110.02

charge for notices containing rule or tabular work (50 per cent of above)

extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$ 111.52

COST

single column 11 ems Size of type _____ point

insertions _____ 2 Size of quad upon which type is cast _____

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla Dewald

19 75 Title, CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK _____ of the _____ JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for _____ 2 _____ times _____ the dates of publication being as follows: 3/17-21/75

Arvilla Dewald
Subscribed and sworn to before me this 24th day of March, 1975

Notary Public

My commission expires October 25, 1975

~~Common Council of Fort Wayne~~
(Governmental Unit)To JOURNAL-GAZETTE Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

13783382

COMPUTATION OF CHARGES

382 lines, 1 columns wide equals 382 equivalent lines at 288 cents per line\$ 110.02

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 111.52

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date March 24, 19 75Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
County AllenPersonally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTEa DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 5, the dates of publication being as follows:3/17-21/75Subscribed and sworn to before me this 24th day of March, 19 75

Notary Public

My commission expires October 25, 1975

LEGAL NOTICE

Notice is hereby given that on the 11th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-03-06, G-95-2 General Ordinance, to wit:

Bill No. G-75-03-06
General Ordinance No. G-65-75
AN ORDINANCE amending General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights of way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith."

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and

COPY OF
SENT HERE

LEGAL NOTICE

Notice is hereby given that on the 11th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-03-96, G-05-75 General Ordinance, to-wit:

Bill No. G-75-03-96
General Ordinance No. G-05-75

AN ORDINANCE amending General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith"; and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-27-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith"; and

WHEREAS, delay in the issuance of the bonds authorized by said ordinance has occurred; and

WHEREAS, the Council now finds that, due to the lapse of time since the adoption of said General Ordinance No. G-27-74, the same must be amended in order to market advantageously said bonds.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 2 of General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 2. For the purpose of providing funds with which to pay the cost of said projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Municipal Bonds of 1975" in the aggregate principal amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), shall be numbered consecutively from 1 to 750 inclusive, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate, or rates, not exceeding seven per cent (7%) per annum (the exact rates to be determined by the bidding), which interest shall be payable on the first day of January, 1976 and semi-annually thereafter on the first days of January and July in each year and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at such bank or banks as shall be designated by the successful bidder and approved by the City Controller and at least one of which banks shall be in the City of Fort Wayne, Indiana. The bonds shall mature serially in the amounts and on the dates as follows:

\$100,000 on January 1, 1976
100,000 on July 1, 1976
100,000 on January 1, 1977
100,000 on July 1, 1977
100,000 on January 1, 1978
100,000 on July 1, 1978
100,000 on January 1, 1979
105,000 on July 1, 1979
105,000 on January 1, 1979
105,000 on January 1, 1980
105,000 on July 1, 1980
110,000 on January 1, 1981
110,000 on July 1, 1981
115,000 on January 1, 1982
120,000 on July 1, 1982
125,000 on January 1, 1983
125,000 on July 1, 1983
130,000 on January 1, 1984
135,000 on July 1, 1984
140,000 on January 1, 1985
140,000 on July 1, 1985
145,000 on January 1, 1986
150,000 on July 1, 1986
155,000 on January 1, 1987
160,000 on July 1, 1987
165,000 on January 1, 1988
170,000 on July 1, 1988
175,000 on January 1, 1989
180,000 on July 1, 1989
185,000 on January 1, 1990

Said bonds shall be signed in the name of the City of Fort Wayne with the facsimile signature of the Mayor, count, engraved with the facsimile signature of the City Controller, and attested by the City Clerk who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the Uniform Commercial Code.

SECTION 2. That Section 3 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to-wit:

United States of America, State of Indiana, County of Allen
No. 65-000

CITY OF FORT WAYNE

MUNICIPAL BOND OF 1975

The City of Fort Wayne, in Allen County, Indiana, for value received, here acknowledges itself indebted and promises to pay to the bearer hereof until the principal is paid, at the rate of _____ per cent (_____ per cent) per annum, payable the first day of January, 1976, and semi-annually thereafter on the first days of January and July in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the _____, in the City of Fort Wayne, Indiana, on or at the option of the holder at the _____.

This bond is one of an authorized issue of Seven Hundred Fifty (750) bonds of the City of Fort Wayne, Indiana, of like date, denomination, tenor and effect, except as to dates of maturity, aggregating Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000), numbered consecutively from 1 to 750 inclusive, issued pursuant to an ordinance adopted by the Common Council of the City on the _____ day of _____, 1975, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," as amended by General Ordinance No. _____, and an act of the General Assembly of the State of Indiana entitled "An Act concerning municipal corporations," approved March 6, 1965, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required

I am hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that his bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, Indiana, by ordinance of its Common Council, has caused this bond to be signed in its corporate name by placing thereon the facsimile signature of its Mayor, countersigned by placing thereon the facsimile signature of its City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 1975.

CITY OF FORT WAYNE
BY IVAN A. LEBAMOFF Mayor
City Controller
Attest: CHARLES WESTERMAN City Clerk

Coupon No. _____ Interest Coupon
On _____, 1975, the City of Fort Wayne, Indiana, will pay to bearer at the _____, in the City of Fort Wayne, Indiana, or at the option of the holder at the _____ Dollars in lawful money of the United States of America, being the interest then due on its Municipal Bond of _____ dated _____ No. _____.

CITY OF FORT WAYNE
BY _____ City Controller

SECTION 3. That Section 4 of said General Ordinance No. G-27-74 be and the same is hereby amended to read as follows:

Section 5. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of such sale once each week for two weeks in the Fort Wayne News Sentinel and Fort Wayne Journal-Gazette, and one time in the Indianapolis Commercial. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the notice in the bond sale notice, at which time and place he shall open and accept the bids. Bidders for said bonds shall be required to name the rate or rates, of interest which the bonds are to bear, not exceeding seven per cent (7%) per annum, and such interest rates shall be in multiples of 1/10 or 1/8 of one per cent (1%), and not more than four interest rates shall be named by each bidder. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rates named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without re-advertising, but during such continuation no bids shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from ice Miller, deno & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the Common Council. The cost of said opinion shall be considered a part of the cost of said projects, and shall be paid out of the proceeds of said bonds.

SECTION 4. That said General Ordinance No. G-27-74, except as here-

inafore amended, stand as adopted on October 22, 1974.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN C. SCHMIDT, Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following vote:
Ayes: Eight, Burns, Hinga, Kreis, Nuckolls, D. Schmidt, V. Schmidt, Stier, Talerico.
Nays: None.

Present: One, Moses
Absent: One, Moses

CHARLES W. WESTERMAN City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-27-75 on the 11th day of March, 1975.

Attest: (Seal)
CHARLES W. WESTERMAN City Clerk

JAMES S. STIER
Presenting Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 1975, at the hour of 10:30 o'clock A.M., E.S.T., for the purpose of being signed and approved by the Mayor on the 11th day of March, 1975.

CHARLES W. WESTERMAN City Clerk

Approved and signed by me this 11th day of March, 1975, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-27-75 passed by the Common Council of the City of Fort Wayne, Indiana, on the 11th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of March, 1975, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of March, 1975.

CHARLES W. WESTERMAN City Clerk

Seal
3-17-74

3-17-74

Board of Accounts

City of Fort Wayne
(Mental Unit)

County, Ind.

General Form No. 99 P (Rev 1967)

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

ter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

ber of lines

1

ber of lines

378

ber of lines

3

al number of lines in notice

382

GES

es, 1 columns wide equals 382 equivalent lines at .2884 is per line

\$ 110.02

charge for notices containing rule or tabular work (50 per cent of above

xtra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 111.52

G COST

gle column 11 ems

Size of type 52 point

insertions 2

Size of quad upon which type is cast 52

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

V. E. Gerken

19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

who, being duly sworn, says that, _____

Sh is Clerk

NEWS-SENTINEL

a _____ of the _____

DAILY

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two _____

time, _____ the dates of publication being as follows:

3/17-24/75

Subscribed and sworn to before me this 24th day of March, 1975.

V. E. Gerken
Notary Public

My commission expires October 25, 1975

Common ~~III~~ Council of Fort Wayne
(Governmental Unit)To NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

13783382

COMPUTATION OF CHARGES

382 lines, 1 column wide equals 382 equivalent lines at 288¢ cents per line\$ 110.02

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 111.52

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date March 24, 19 75Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, saysthat She is Clerk of theNEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for twotimes 8 the dates of publication being as follows:3/17-24/75Subscribed and sworn to before me this 24th day of March, 19 75

Notary Public

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LEGAL NOTICE

Notice is hereby given that on the 11th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following:

Ordinance No. G-75-09, G-75-75 General Bill No. G-75-03-06
General Ordinance No. G-75-75
AN ORDINANCE amending General Ordinance No. G-77-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the acquisition of and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith."

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has heretofore on the 22nd day of October, 1974, adopted General Ordinance No. G-77-74, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental

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